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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/098,667

03/15/2002

Alex Mashinsky

5068-15

5716

27799

7590

10/30/2007

COHEN, PONTANI, LIEBERMAN & PAVANE

551 FIFTH AVENUE

SUITE 1210

NEW YORK, NY 10176

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

10/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/098,667

Applicant(s)

MASHINSKY ET AL.

Examiner

Rasha S. AL-Aubaidi

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 6 and 21-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6 and 21-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This in response to amendment filed 08/22/2007. No claims have been added. No claims have been canceled. Claims 1, 3, 26-30 and 33 have been amended. Claims 1-3, 5-6 and 25-34 are still pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolduc et al (US Pat No. 6,404,877), herein after referred as Bolduc in view of Yamamoto et al. (US PAT No. 6,282,563), herein after as Yamamoto.

Regarding claim 1, referring to figures 1-3, Bolduc teaches a method, comprising:
receiving at a processor (e.g., service node 190) a telephone call having routing information (e.g., caller's request for a product of interest) from an originating party (e.g., caller 100) (see figs 1-3; col. 2, ln 36-col. 3, ln 7; and col. 5, ln 21-col. 6, ln 50);

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routing the telephone call from the processor to a terminating party (e.g., Mountain Bikes of Denver, Colo.) based on the routing information (see figs 1-3; col. 2. In 36-col. 3, In 7; and col. 5, In 21-col. 6, In 50);

determining an identity of the terminating party at the processor (see figs 1-3; col. 2. In 36-col. 3, In 7; and col. 5, In 21-col. 6, In 50);

determining at the processor targeted marketing material based on the identity of the terminating party (see figs 1-3; col. 2. In 36-col. 3, In 7; and col. 5, In 21-col. 6, In 50); and

providing the targeted marketing material from the processor to the originating party (see figs 1-3; col. 2. In 36-col. 3, In 7; and col. 5, In 21-col. 6, In 50).

Bolduc does not specifically teach "a directory database that stores information associating contact information with the identity of the called terminating party".

However, Yamamoto specifically teaches that information and identifiers regarding specific agent(s) can be stored in a storage server (21). A user can select a specific agent and from the user selection the specified agent will be determined by recognizing the agent identifier and information his/her stored in the storage server 21 (see col. 15, lines 28-40).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of having a database that stores

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information (such as agent identifier or other information) associated with a specific agent into the Bolduc service and apparatus, in order to enhance the system effacing by choosing the desired agent. Plus this will add more speed and convenience to the users/callers.

As to claims 5-6 and 21-24, Bolduc teaches the invention substantially as claimed as described in figs 1-3; col. 2, ln 36-col. 3, ln 7; and col. 5, ln 21-col. 6, ln 50.

4. Claims 25-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolduc in view Yamamoto and further in view of Baker.

Regarding claim 25, the combination of Bolduc in view of Yamamoto does not specifically teach the use of a VOIP transaction received from the originating party as recited in claim 25.

However, Baker teach in a cal center 210 that is configured to include information assistance service provider 230 (as shown in Fig. 3), a voice information maybe packetized and transmitted to a VOIP through the Internet (see col. 6, lines 11-28).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of receiving a VOIP transactions from a caller/originating party, as taught by Baker, into the combination of Bolduc in view of

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Yamamoto system in order to expand the caller's options and provide flexibility. At end this will enhance the system and provide a better and wider service to customers/callers.

Claims 26-34 are rejected for the same reasons as discussed above with respect to claims 1-3, 5-6 and 21-25, respectively.

Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RASHA S. AL-AUBAIDI
PRIMARY EXAMINER

ART UNIT 2614
10/19/2007